

CITY OF SAN DIEGO
M E M O R A N D U M

DATE: October 11, 2007

TO: Council President

FROM: Jay M. Goldstone, Chief Operating Officer 

SUBJECT: Request for Supplemental Docketing, Local Emergency Declaration --
Mount Soledad

On October 4, 2007 the City Council voted to ratify the Mayor's declaration of a local emergency regarding the landslide on Mount Soledad. This emergency declaration is subject to the provisions for ongoing review as specified in California Government Code Section 8630. Specifically, code section 8630 (c) (2) requires that the governing body "shall review the need for continuing the local emergency at least every 14 days, until the local emergency is terminated".

I am requesting supplemental docketing of an action to renew the local emergency declaration at the Council meeting of October 15 or 16, 2007. Sustaining the local emergency will facilitate the City's efforts to obtain state and federal assistance, and will allow stabilization and repair efforts to proceed most expeditiously. I also request that the emergency declaration renewal be included for Council consideration every two weeks until circumstances warrant the proactive termination of the emergency.

Thank you for your consideration.



REQUEST FOR COUNCIL ACTION
CITY OF SAN DIEGO

1. CERTIFICATE NUMBER
(FOR AUDITOR'S USE ONLY)

TO:
City Attorney

2. FROM (ORIGINATING DEPARTMENT):
Office of the Mayor

3. DATE:
October 10, 2007

4. SUBJECT:
State of Local Emergency Declaration – Mount Soledad

5. PRIMARY CONTACT (NAME, PHONE & MAIL STA.)
Ed Plank, 236-6433

6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.)

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED

8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	DEPT.	ORGANIZATION	OBJECT ACCOUNT	JOB ORDER	C.I.P. NUMBER	AMOUNT	9. ADDITIONAL INFORMATION / ESTIMATED COST:	

10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIGINATING DEPARTMENT	<i>Edward Plank</i>	10/11/07	8	DEPUTY CHIEF		
2				9	COO	<i>[Signature]</i>	10/11/07
3				10	CITY ATTORNEY	<i>[Signature]</i>	10/11/07
4	LIAISON OFFICE			11	ORIGINATING DEPARTMENT		
5				DOCKET COORD: _____ COUNCIL LIAISON: _____			
6				✓	COUNCIL PRESIDENT <input type="checkbox"/> SPOB <input type="checkbox"/> <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION <input type="checkbox"/>		
7					COUNCIL DATE: 10/10/07		

11. PREPARATION OF: RESOLUTION(S) ORDINANCE(S) AGREEMENT(S) DEED(S)

1. to Renew the declaration of a State of Local Emergency regarding the landslide on Mount Soledad, consistent with the provisions of California Government Code Section 8630 (c) (2)

11A. STAFF RECOMMENDATIONS:
1. Adopt the resolution to continue the State of Emergency

12. SPECIAL CONDITIONS:
COUNCIL DISTRICT(S):
COMMUNITY AREA(S):
ENVIRONMENTAL IMPACT:
HOUSING IMPACT:
OTHER ISSUES:

RESOLUTION NUMBER R-_____

DATE OF FINAL PASSAGE _____

A RESOLUTION OF THE CITY COUNCIL DECLARING A
CONTINUED STATE OF EMERGENCY REGARDING THE
LANDSLIDE ON MOUNT SOLEDAD.

WHEREAS, California Government Code section 8630 authorizes local governing bodies to proclaim local emergencies when such events occur as are defined by California Government Code section 8558(c); and

WHEREAS, Section 8630 further provides that if the local governing body meets weekly, it must review the state of emergency at least every 14 days until such emergency is declared to be terminated, and in no event wait longer than 21 days to review the state of emergency; and

WHEREAS, on October 5, 2007, the City Council adopted Resolution No. R-303041 declaring the existence of a state of local emergency regarding the landslide on Mount Soledad and ratifying the Mayor's declaration of a state of local emergency of October 3, 2007; and

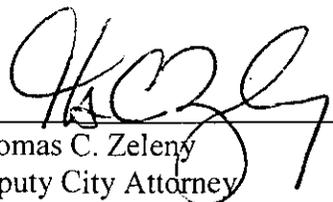
WHEREAS, the landslide continues to pose the possibility of peril to persons or property until remedial action is completed to stabilize the landslide and repair the affected property; and

WHEREAS, the City is undertaking measures to determine and implement remedial action to stabilize and repair the property affected by the landslide; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that pursuant to California Government Code section 8630, a continued state of emergency is declared to persist relative to the landslide on Mount Soledad.

BE IT FURTHER RESOLVED, that the measures previously authorized by the City Council in Resolution No. R-303041 shall continue to have full force and effect.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By  _____
Thomas C. Zeleny
Deputy City Attorney

TCZ:
10/10/07
Or.Dept:CityAtty
R-2008-312

I hereby certify that the foregoing resolution was passed by the Council of the City of San Diego, at its meeting of _____.

ELIZABETH S. MALAND, City Clerk

By _____
Deputy City Clerk

Approved: _____
(date)

JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor